

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Thomas
A. RUSSELL, et al.

SERIAL NO.: 10/679,158 Group Art Unit: 3739

FILED: October 3, 2003 EXAMINER:

FOR: SURGICAL POSITIONERS

ATTORNEY DOCKET NO.: 50642/287729
DATE: 8/2/04

Mail Stop Amendment
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Sir:

In accordance with Rules 56, 97 and 98 of the Rules of Practice in Patent Cases (37 C.F.R. §§ 1.56, 1.97, and 1.98), the publications listed on the modified Form PTO/SB/08 are cited for consideration by the Examiner. Copies of the non-U.S. patent documents are submitted with this paper.

Submission of the references provided in this Information Disclosure is not intended to constitute an admission that any reference referred to herein is prior art for this invention unless specially designated as such. Also, in accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

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Receipt date: 08/06/2004

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U.S. Serial No. 10/679,158

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INFORMATION DISCLOSURE STATEMENT

This Information Disclosure Statement is being filed pursuant to 37 C.F.R. 1.97(b), before issuance of a first Office action on the merits. Applicant believes that no fee is due for submission and consideration of this paper. The Commissioner is authorized to charge any fees associated with this filing or credit any overpayment to Deposit Account No. 11-0855.

Respectfully submitted,



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Application Number	10/679,158
Filing Date	October 3, 2003
First Named Inventor	Thomas A. RUSSELL
Art Unit	3739
Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number
	50642/287729

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Firm or Individual name Michael A. Bertelson, Reg. No. 54,713

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Application Number	10/379,158
Date Filed:	October 3, 2003
First Named Inventor	Thomas A. RUSSELL
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Examiner Name	

Attorney Docket Number

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Examiner Initials *	Cite No. ¹	Document Number Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Examiner Initials + Name	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Sheet	3	First Named Inventor	Thomas A. RUSSELL
	of 3	Group Art Unit	3739
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FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ² - Number ³ - Kind Code ⁴ (if known)			
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/B.R./		DE 197 09 960 A1	09/24/1998	Germany	

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS					
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
/B.R./		Delp, et al., "Computer Assisted Knee Replacement," <i>Clinical Orthopaedics and Related Research</i> , 354:49-56 (1998)			
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/B.R./		Stryker Navigation System Brochure entitled "...best alignment for gap kinematics," 2 pages (undated)			
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